Fill in this information to identify the case:			
United States Bankruptcy Court for the:			
District of Delaware Case number (If known): Chapter 11			

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/24

☐ Check if this is an amended filing

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1.	Debtor's name	Silvergate Capita	il Corporat	ion			
2.	All other names debtor used in the last 8 years						
	Include any assumed names,						
	trade names, and doing business as names						
3.	Debtor's federal Employer Identification Number (EIN)	3 3 - 0 2 2	7 3 3	7			
4.	Debtor's address	Principal place of busi	ness		Mailing address, if of business	different from p	orincipal place
		4225 Executiv	e Square				
		Number Street	 		Number Street		
		Suite 600					
		l a lalla	C A	00007	P.O. Box		
		La Jolla City	CA State	92037 ZIP Code	City	State	ZIP Code
		Oity	Otate	Zii Gode	City	State	ZIP Code
		San Diego			Location of principal principal place of b	al assets, if diff usiness	erent from
		County			Number Street		
					Number Street		
					City	State	ZIP Code
5.	Debtor's website (URL)	https://silvergate.	com				

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Deb	tor Silvergate Capital Corpora	tion Case number (#known)
6.	Type of debtor	 ☑ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) ☐ Partnership (excluding LLP) ☐ Other. Specify:
7.	Describe debtor's business	A. Check one: Health Care Business (as defined in 11 U.S.C. § 101(27A)) Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Railroad (as defined in 11 U.S.C. § 101(44)) Stockbroker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(6)) Clearing Bank (as defined in 11 U.S.C. § 781(3)) None of the above
		B. Check all that apply: Tax-exempt entity (as described in 26 U.S.C. § 501) Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3) Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11)) C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See http://www.uscourts.gov/four-digit-national-association-naics-codes .
8.	Under which chapter of the Bankruptcy Code is the debtor filing?	Check one: Chapter 7 Chapter 9 Chapter 11. Check all that apply: Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that). The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B). The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11. ✓ A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form. The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
9.	Were prior bankruptcy cases filed by or against the debtor within the last 8 years?	☐ Yes. District When Case number
	If more than 2 cases, attach a separate list.	District When Case number

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Debtor Silvergate Capital Corporation Case number (if known)					
	Name			,	
	Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? List all cases. If more than 1, attach a separate list.	District District	achment A t of Delaware nown	Relationship When	Affiliate Contemporaneous MM / DD / YYYY
	Why is the case filed in <i>this</i> district?	immediately preceding district.	nicile, principal place of business, or princ g the date of this petition or for a longer pa ncerning debtor's affiliate, general partner	art of such 180	0 days than in any other
property or personal property that needs immediate attention? Why doe What It nee It includes			r each property that needs immediate atteroperty need immediate attention? (Challeged to pose a threat of imminent and azard? e physically secured or protected from the prishable goods or assets that could quickle example, livestock, seasonal goods, measer options).	eck all that applidentifiable has weather. y deteriorate t, dairy, produ	or lose value without uce, or securities-related
		Where is the property i Is the property i No Yes. Insurance Contact r	Number Street City nsured? agency		State ZIP Code
	Statistical and adminis	trative information			
	Debtor's estimation of available funds		e for distribution to unsecured creditors. re expenses are paid, no funds will be ava	illable for dist	ribution to unsecured creditors.
	Estimated number of creditors	☐ 1-49 ☐ 50-99 ☐ 100-199 ☐ 200-999	☑ 1,000-5,000 □ 5,001-10,000 □ 10,001-25,000	5 0,0	01-50,000 01-100,000 e than 100,000

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Debtor Silvergate Capital Corporati	on	Case number (f known)	
15. Estimated assets	\$0-\$50,000 \$50,001-\$100,000 \$100,001-\$500,000 \$500,001-\$1 million	□ \$1,000,001-\$10 million □ \$10,000,001-\$50 million □ \$50,000,001-\$100 million □ \$100,000,001-\$500 million		\$500,000,001-\$1 billion \$1,000,000,001-\$10 billion \$10,000,000,001-\$50 billion More than \$50 billion
16. Estimated liabilities	\$0-\$50,000 \$50,001-\$100,000 \$100,001-\$500,000 \$500,001-\$1 million	□ \$1,000,001-\$10 million □ \$10,000,001-\$50 million □ \$50,000,001-\$100 million □ \$100,000,001-\$500 million		\$500,000,001-\$1 billion \$1,000,000,001-\$10 billion \$10,000,000,001-\$50 billion More than \$50 billion
Request for Relief, De	claration, and Signatures	5		
WARNING Bankruptcy fraud is a se \$500,000 or imprisonme	_	atement in connection with a bankr 18 U.S.C. §§ 152, 1341, 1519, and		can result in fines up to
17. Declaration and signature of authorized representative of debtor	The debtor requests relipetition.	ief in accordance with the chapter o	of title 11, U	nited States Code, specified in this
	I have been authorized	to file this petition on behalf of the o	debtor.	
	I have examined the info	ormation in this petition and have a	reasonable	e belief that the information is true and
	I declare under penalty of pr	erjury that the foregoing is true and	correct.	
	MM / DD /			
	🗶 /s/ Elaine Hetrick	E	Elaine Hetrick	
	Signature of authorized repr Chief Administrative Title		nted name	
18. Signature of attorney	¥ ^S Paul N. Heath	Da	.e	/17/2024
	Signature of attorney for de	ebtor	MM	/DD /YYYY
	Paul N. Heath			
	Printed name			
	Richards, Layton & Finge	r, P.A.		
	Firm name 920 North King S	Street		
	Number Street			40004
	Wilmington City		DE State	19801
	(302) 651-7700 Contact phone		heath@rlf.d Email addre	
	,			
	3704		DE	
	Bar number		State	

RESOLUTIONS OF THE BOARD OF DIRECTORS OF SILVERGATE CAPITAL CORPORATION

<u>September 13, 2024</u>

The members of the Board of Directors (the "Board") of Silvergate Capital Corporation, organized and existing under the laws of the State of Maryland (the "Company"), approved and adopted the following actions at the meeting of the Board held on September 13, 2024:

WHEREAS, the Board has reviewed, discussed and had the opportunity to ask questions about the materials presented by management and the legal and financial advisors of the Company regarding, among other matters, the actual and potential liabilities of the Company, its liquidity, the strategic alternatives available to it and the impact of the foregoing on the Company's business;

WHEREAS, the Board has had the opportunity to consult with management and the legal and financial advisors of the Company to fully consider each of the strategic alternatives available to the Company;

WHEREAS, in the judgment of the Board, it is desirable and in the best interests of the Company, its creditors, and other interested parties that a petition be filed by the Company seeking relief under the provisions of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Delaware (the "Chapter 11 Case");

WHEREAS, following extensive, good-faith, arm's length negotiations, the Company will enter into the restructuring support agreement (including all exhibits attached thereto, the "RSA") by and among each Company and the Supporting Preferred Stockholders (as defined in the RSA);

WHEREAS, the Board has had the opportunity to consult with the management and legal and financial advisors of the Company regarding the material terms of a proposed plan of reorganization (the "Plan") pursuant to which the Company would, among other things, implement a liquidation and emerge from its Chapter 11 Case;

WHEREAS, the Board has had the opportunity to consult with the management and the legal and financial advisors of the Company regarding the material terms of a proposed Disclosure Statement (the "Disclosure Statement") accompanying the Plan and the contents and disclosures thereof;

WHEREAS, the Board has determined that it is advisable and in the best interest of such Company, its creditors, stakeholders and other interested parties that such Company, in furtherance of a liquidation of the Company and emergence from Chapter 11, file the Plan and Disclosure Statement with the Bankruptcy Court and to solicit acceptances and approvals thereof;

WHEREAS, the Board desires to approve the following resolutions.

NOW, THEREFORE, BE IT

Chapter 11 Filing

RESOLVED, that the Board has determined, after consultation with management and the legal and financial advisors of the Company, that it is desirable and in the best interests of the Company, its stakeholders, its creditors, and other parties in interest that a petition be filed by the Company seeking relief under chapter 11 of the Bankruptcy Code; and

RESOLVED, that any officer of the Company (each, an "Authorized Officer"), acting singly or jointly, be, and each hereby is, authorized and empowered, with full power of delegation, to negotiate, execute, deliver, and file in the name and on behalf of the Company, and under its seal or otherwise, all plans, petitions, schedules, statements, motions, lists, applications, pleadings, papers, affidavits, declarations, orders, and other documents in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"), and, in connection therewith, to take and perform any and all further acts and deeds which such Authorized Officer deems necessary, appropriate, desirable or advisable in connection with the Chapter 11 Case, including, without limitation, (a) the payment of any fees, expenses, and taxes such Authorized Officer deems necessary, appropriate, desirable or advisable, and (b) negotiating, executing, delivering, performing and filing any and all additional documents, schedules, statements, lists, papers, agreements, certificates or instruments (or any amendments or modifications thereto) in connection with, or in furtherance of, the Chapter 11 Case with a view to the successful prosecution of the Chapter 11 Case (such acts to be conclusive evidence that such Authorized Officer deemed the same to meet such standard); and

Restructuring Support Agreement, Chapter 11 Plan and Disclosure Statement

RESOLVED, that in the judgment of the Board, it is desirable and in the best interests of the Company, its creditors and the other parties in interest that the Company and the other parties thereto enter into the Restructuring Support Agreement (substantially on the terms presented to the Board) and commence solicitation of the Plan consistent with the Restructuring Support Agreement, and that the Company's performance of its obligations under the Restructuring Support Agreement be and hereby is, in all respects, authorized, approved, confirmed and ratified:

RESOLVED, that in the judgment of the Board it is desirable and in the best interests of the Company, its creditors and the other parties in interest to take all actions (including, without limitation, to negotiate and execute any agreements, documents, or certificates) necessary to undertake and enter into the Restructuring Support Agreement and to consummate the transactions contemplated thereby, including without limitation, the assumption of obligations, rejection of obligations, sale of the Company, sale of equity or assets, merger, liquidation, or other transactions contemplated thereby and all exhibits, schedules, attachments, and ancillary

documents or agreements related thereto (each in the form and upon the terms as the Board may approve, such approval to be conclusively established by the Board's execution and delivery or taking thereof), and that the Company's entry into and performance of its obligations in respect thereof, is, in all respects, authorized, approved, confirmed and ratified;

RESOLVED, that the Board adopts, ratifies, confirms and approves the form, terms and provisions of, and each of the transactions contemplated by the Plan and the Disclosure Statement, as each may be amended or modified from time to time;

RESOLVED, that the Company's advisors be, and each hereby are, authorized, empowered and directed, on behalf of and in the name of the Company, to prepare, finalize and file, as appropriate, procedures for the solicitation and tabulation of votes to accept or reject the Plan; and

Retention of Professionals

RESOLVED, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the law firm of Cravath, Swaine & Moore LLP ("Cravath") as general bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations, including filing any motions, objections, replies, applications, or pleadings; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of Cravath.

RESOLVED, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the law firm of Richards, Layton & Finger, P.A. as local bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations, including filing any motions, objections, replies, applications, or pleadings; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of Richards, Layton & Finger, P.A.

RESOLVED, that each of the Authorized Officers be, and hereby is, authorized and directed to employ AlixPartners, LLP ("AlixPartners") as financial advisor to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed an appropriate application for authority to retain the services of AlixPartners.

RESOLVED, that each of the Authorized Officers be, and hereby is, authorized and directed to employ the firm of Stretto, Inc. as notice and claims agent to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company's rights and obligations; and in connection therewith, each of the

Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers, and to cause to be filed appropriate applications for authority to retain the services of Stretto, Inc.

RESOLVED, that each of the Authorized Officers be, and hereby is, authorized and directed to employ any other professionals to assist the Company in carrying out its duties under the Bankruptcy Code; and in connection therewith, each of the Authorized Officers, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers and fees, and to cause to be filed an appropriate application for authority to retain the services of any other professionals as necessary.

RESOLVED, that each of the Authorized Officers be, and hereby is, with power of delegation, authorized, empowered, and directed to execute and file all petitions, schedules, motions, lists, applications, pleadings, and other papers and, in connection therewith, to employ and retain all assistance by legal counsel, accountants, financial advisors, and other professionals and to take and perform any and all further acts and deeds that each of the Authorized Officers deem necessary, proper, or desirable in connection with the Chapter 11 Case, with a view to the successful prosecution of such case (such acts to be conclusive evidence that such Authorized Officer deemed the same to meet such standard); and

General

RESOLVED, that in addition to the specific authorizations heretofore conferred upon the Authorized Officers of the Company, each of the Authorized Officers of the Company or their designees shall be, and each of them, acting alone, hereby is, authorized, directed and empowered, in the name of and on behalf of the Company, to take or cause to be taken any and all such further actions, to execute and deliver any and all such agreements, certificates, instruments and other documents, including, without limitation, any further resolutions authorizing or otherwise facilitating the matters described in these resolutions, and to pay all expenses, including filing fees, in each case as in such Authorized Officer's or Authorized Officers' judgment shall be necessary or desirable in order to fully carry out the intent and accomplish the purposes of the resolutions adopted herein.

RESOLVED, that any and all acts taken and any and all certificates, instruments, agreements or other documents executed for or on behalf of the Company by any Authorized Officer prior to the adoption of the foregoing resolutions with regard to any of the transactions, actions, certificates, instruments, agreements or other documents authorized or approved by the foregoing resolutions be, and they hereby are, ratified, confirmed, adopted and approved.

RESOLVED, that the Board has received sufficient notice of the actions and transactions relating to the matters contemplated by the foregoing Resolutions, as may be required by the organizational documents of the Company, or hereby waives any right to have received such notice.

Attachment A

Pending Bankruptcy Cases Filed by the Debtor and Affiliates of the Debtor

On the date hereof, each of the affiliated entities listed below (including the debtor in this Chapter 11 case, collectively, the "<u>Debtors</u>") filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the District of Delaware. The Debtors have filed a motion requesting that the Chapter 11 cases of these entities be consolidated under the case number assigned to the case of Silvergate Capital Corporation for procedural purposes only and jointly administered pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure.

Company			
Silvergate Capital Corporation			
Silvergate Liquidation Corporation			
Spring Valley Lots, LLC			

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
SILVERGATE CAPITAL CORPORATION, 1	Case No()
Debtor.	

CONSOLIDATED CORPORATE OWNERSHIP STATEMENT

Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, Silvergate Capital Corporation, on behalf of itself and certain of its affiliates as debtors and debtors-in-possession (collectively, the "<u>Debtors</u>"), respectfully represents:

- 1. No corporate entities own, directly or indirectly, 10% or more of any class of the equity interests of Silvergate Capital Corporation.
- 2. 100% of the equity of Silvergate Liquidation Corporation is owned by Silvergate Capital Corporation.
- 3. 100% of the equity of Spring Valley Lots, LLC is owned by Silvergate Capital Corporation.

[Remainder of page intentionally left blank.]

¹ The last four digits of Silvergate Capital Corporation's federal tax identification number are (7337). The mailing address for Silvergate Capital Corporation is 4225 Executive Square, Suite 600, La Jolla, CA 92037.

Fill in this information to identify the case:
Debtor name
United States Bankruptcy Court for the: District of (State)
Case number (If known):

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	(for example, trade debts, bank loans, professional claim is contingent, unliquidated,	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.			
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1							
2							
3							
4							
5							
6							
7							
8							

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Debtor		Case number (if known)	
	Nome		

Name of creditor and complete mailing address, including zip code		debts, bank loans, professional	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
SILVERGATE CAPITAL CORPORATION,	Case No()
Debtor.	

List of Equity Security Holders¹

Debtor	Equity Holders	Address of Equity Holders	Type of Equity Security	Percentage Held
Silvergate Capital Corporation	Stilwell Activist Investments, L.P.	Stilwell Activist Investments, L.P., 111 Broadway, 12th Floor New York, NY 10006	Common Stock	9.9%

¹ This list reflects known, registered holders of five percent or more of Silvergate Capital Corporation's common stock as of September 12, 2024.

Fill in this information to identify the case and this filing	g:
Debtor Name Silvergate Capital Corporation	
United States Bankruptcy Court for the:	District of Delaware
Case number (If known):	• •

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

	Schedule A/B: Assets–Real and Personal Property (Official Form 206A/B)			
	Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)			
	Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)			
	Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)			
	Schedule H: Codebtors (Official Form 206H)			
	Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)			
	Amended Schedule			
☑	Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 20			
☑	2 Other document that requires a declaration Corporate Ownership Statement, List of Equity Security Holders			
I declare under penalty of perjury that the foregoing is true and correct. Executed on 09/17/2024				
Exe	cuted on			
	Elaine Hetrick Printed name			
	Chief Administrative Officer			

Position or relationship to debtor